

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

WESTLB AG, NEW YORK BRANCH

§  
§  
§  
§  
§

Civil Action No. \_\_\_\_\_

vs.

GREENHUNTER BIOFUELS, INC.  
ET. AL.

**PLAINTIFF'S MOTION TO SEAL PURSUANT TO LR83.6**

TO THE HONORABLE JUDGE OF SAID COURT:

WestLB AG, New York Branch ("WestLB") requests that the pleadings filed in this case be sealed pursuant to Local Rule 83.6 for the following reasons:

WestLB has sought the appointment of a receiver to take possession of and manage premises located in ship channel. Chemicals are stored on the Premises that are highly flammable and toxic. The pleadings may contain Chemical-terrorism Vulnerability Information ("CVI"), including but not limited to site security plans. 6 C.F.R. § 27.200, *et seq.* Materials containing CVI must be appropriately designated and withheld from public disclosure. CVI must also be physically controlled and protected.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff, WestLB AG, New York Branch prays that the Court seal all documents filed in this actions pending further order and grant such other and further relief which the Court deems just.

Respectfully submitted,

ANDREWS KURTH LLP

By: /s/ Joe C. Holzer  
Joe C. Holzer  
State Bar No. 09933800  
600 Travis, Suite 4200  
Houston, Texas 77002  
Telephone: 713-220-4172  
Facsimile: 713-238-7278  
Email: [jholzer@andrewskurth.com](mailto:jholzer@andrewskurth.com)

ATTORNEYS FOR PLAINTIFF,  
WESTLB AG, NEW YORK BRANCH

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

WESTLB AG, NEW YORK BRANCH

vs.

GREENHUNTER BIOFUELS, INC.,  
ET AL.

Civil Action No. \_\_\_\_\_

**ORDER**

After considering the Motion to Seal of WestLB AG, New York Branch the Court  
orders:

1. The Motion to Seal is GRANTED.
2. Pleadings and other documents filed in this cause shall remain under seal, confidential, and not available to anyone, except (i) the parties and their attorneys (ii) the Receiver or (iii) others upon further order of the Court. The Receiver, if appointed, may use the order of appointment as the Receiver deems appropriate to establish the Receiver's authority.
3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: \_\_\_\_\_, 2010.

Houston, Texas

---

United States District Judge